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AUTHOR	Goldstein, Stephen R.; And Others
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ABSTRACT

All three branches of American government--legislative, executive, and judicial--play a significant role in shaping the enterprise of American public education. This book, an update of the 1980 second edition, describes and analyzes changes in education and the dynamic impact of the law on education's authority. The book can serve as an advanced text in the areas of administrative and constitutional law. It also contains historical, pedagogical, economic, and other social-science literature. Three themes are addressed in the discussions: (1) the decision-making process and the proper allocation of power among those who compete for it; (2) the conflicts involved in a liberal, democratic society seeking to inculcate values in its young people; and (3) the tensions that exist between the values of national unity, secularism, and universalism, on one hand, and the desire to preserve pluralism, sectarianism, and parochial subgroup cultures and values, on the other. Seventeen chapters comprise 6 parts: the history, structure, and curriculum of American public education; students' rights and responsibilities; teachers' rights and responsibilities; equal educational opportunity; church-state relations; and torts. Questions for study and discussion accompany the case analyses. A table of cases is included. (LMI)

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